

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: Brandon Helms
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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.
Paloka GJOKAJ

Case: 2:19-mj-30464
Assigned To : Unassigned
Assign. Date : 8/30/2019
USA V GJOKAJ (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 1, 2018 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 18, United States Code, Section 922(a)(6)

Offense Description

On or about December 1, 2018, at or near Sterling Heights, Michigan, in the Eastern District of Michigan, Southern Division, Paloka GJOKAJ knowingly made a false statement during the attempted acquisition of a firearm from a licensed dealer in order to deceive such dealer with respect to any fact material to the lawfulness of the sale of such firearm, in violation of Title 18, United States Code, Section 922(a)(6).

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.


Complainant's signature

Jordan Carlson, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: August 30, 2019

City and state: Detroit, Michigan


Judge's signature

Magistrate Judge R. Steven Whalen
Printed name and title

AFFIDAVIT

Jordan A. Carlson, being sworn, deposes and states the following:

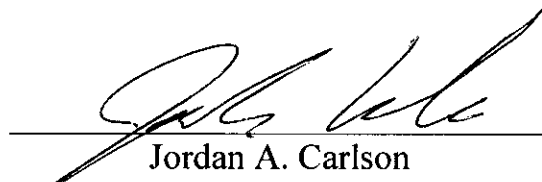
1. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware of relating to this investigation.
2. I am a Special Agent with the Federal Bureau of Investigation in Detroit, Michigan, and have been so employed since February 2019. Prior to this, I was employed as an Intelligence Analyst on a Safe Streets Task Force with the Federal Bureau of Investigation in Salt Lake City, Utah for approximately three years. I have participated in multiple investigations involving violations of federal firearms and narcotics laws, resulting in the arrest and convictions of numerous criminal defendants and the seizure of large quantities of firearms.
3. I am investigating Paloka GJOKAJ, W/M, DOB XX/YY/1982 of Shelby Township, Michigan, for knowingly making a false statement during the attempted acquisition of a firearm to a licensed dealer in violation of 18 U.S.C. § 922(a)(6).
4. On August 27, 2019, during the course of the FBI's investigation on a suspected threat made by Paloka GJOKAJ, law enforcement discovered Paloka GJOKAJ had attempted to purchase a firearm from Dunham's Discount Sports located at 11950 Hall Road, Sterling Heights, Michigan on December 1, 2018 at 4:45pm. Specifically, on December 1, 2018, GJOKAJ attempted to purchase a Model 320 12 gauge shotgun serial number 182183A manufactured by Sun City Machinery. Special Agents and Task Force Officers with the Federal Bureau of Investigation obtained a copy of ATF Form 4473. In Section A of ATF Form 4473, GJOKAJ provided his first and last name, current state of residence and address, place and date of birth, height, weight, sex, race, and ethnicity. All the information provided matched the identifiers on GJOKAJ's Michigan Driver License. The Identification Number of GJOKAJ's

Michigan Driver License used on December 1, 2018 by GJOKAJ at Dunham's Discount Sports was GXXXXXXXXX2030 with an expiration date of XX/YY/2019.

5. The forms signed by GJOKAJ contained the following question to the buyer: **"Have you ever been convicted in any court of a felony, or any other crime for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?"** On the form, GJOKAJ marked "No" to the above question.
6. On 1 December, 2018, Dunham's Discount Sports' Federal Firearms Licensed employee contacted the National Instant Criminal Background Check System (NICS). The employee provided GJOKAJ's identifying information in Section A of Form 4473 to NICS under transaction number 100TTJX4N. NICS provided a **"Denied"** response for this transaction based on GJOKAJ's status as Prohibited Category of "Convicted of a crime punishable by more than 1 year or a misdemeanor punishable by more than 2."
7. On 29 August, 2019, Special Agents of the Federal Bureau of Investigation conducted an interview with the Dunham's employee who processed GJOKAJ's ATF Form 4473 on 1 December, 2018 and signed box 19.8. "Name of FFL Employee Completing NICS check." The employee has approximately 20 years of experience working at the gun department of a Federal Firearms Licensed company. It is Dunham's internal policy and the employee's personal policy that a firearm is never sold to a buyer without first verifying that the photo displayed on the identification card provided matches the appearance of the individual in the store attempting to purchase the firearm. After the buyer completes Section A, the employee verifies that all the information provided matches the information contained on the identification card. The employee also verifies that the buyer's signature in Section A, Box 14 matches the signature printed on the provided identification card. The employee stated they would not proceed to contacting NICS if they believed the identification card provided did not belong to the individual attempting to purchase a firearm.
8. On 29 August 2019, Affiant reviewed the Michigan Department of State Driver's License Record of Paloka GJOKAJ, which contains GJOKAJ's signature signed on 8 January 2019. Upon comparing the signature to the

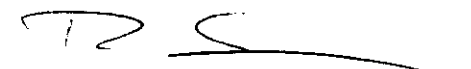
buyer's signature in Section A, Box 14 of GJOKAJ's ATF Form 4473 signed on 1 December 2018, Affiant believes a reasonable person would conclude that the two forms were signed by the same person.

9. On 27 August 2019, Special Agents of the Federal Bureau of Investigation obtained Paloka GJOKAJ's Criminal History Record. On 20 December 2011, GJOKAJ was arrested by Shelby Township Police Department for the possession of a controlled substance (cocaine, heroin, or another narcotic) less than 25 grams. GJOKAJ was convicted of this felony offense on 21 May 2015 and received a sentence of 549 days probation.
10. Based on the foregoing, I have probable cause to believe that Paloka GJOKAJ did knowingly make a false written statement during the attempted acquisition of a firearm from a licensed dealer in order to deceive such dealer with respect to any fact material to the lawfulness of the sale of such firearm in violation of Title 18 U.S.C., Section 922(a)(6).


Jordan A. Carlson
Special Agent



Sworn and subscribed before me on this ~~29~~²⁷ day of August 2019.


Honorable R. Steven Whalen
United States Magistrate Judge